

AO 91 (Rev. 11/11) Criminal Complaint

**FILED** *Graldo***UNITED STATES DISTRICT COURT**

for the

Western District of Texas

19 SEP 25 PM 2:06

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY *[Signature]*

Case No.

**A19 M 604**

United States of America

v.

Joseph Mora

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2016- Present in the county of Travis in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*Title 18 U.S.C. § 641  
Title 18 U.S.C. § 1349Theft of Government Property  
Conspiracy to Commit Fraud

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.*[Signature]**Complainant's signature*

Melodie Jones, SA DCIS

*Printed name and title*

Sworn to before me and signed in my presence.

Date:

**9/25/19***[Signature]**Judge's signature*

City and state:

Austin, Texas

Susan Hightower, US Magistrate Judge

*Printed name and title*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Melodie Jones, being first duly sworn, hereby state as follows:

I am a special agent with the Department of Defense Criminal Investigative Service (DCIS) and have been employed as a federal agent for approximately eight years. I have been assigned to the DCIS San Antonio Resident Agency in Texas since August 2017. Amongst other things, I am responsible for conducting and assisting in investigations that involve allegations of theft and conversion of stolen government property. I have participated in numerous investigations during the course of my career by which I have interviewed suspects, victims, and witnesses; conducted physical surveillance; executed administrative orders and court-authorized search and arrest warrants; and used other investigative techniques to secure information related to various crimes. As a result of my training and experience, I am familiar with techniques and methods of operation used by individuals involved in criminal activity in a fashion to conceal. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses.

This affidavit is intended to show there is sufficient probable cause for the requested complaint. It does not set forth all of my knowledge about this matter. All facts are relayed in sum and substance.

Based on the facts set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. § 641, Theft of Government Property, and violations of 18 U.S.C. § 1349, Conspiracy to commit mail fraud or wire fraud: have been committed by JOSEPH MORA, in concert with others, related to the theft and unlawful sale of items from Camp Mabry in Austin, Texas.

**THE STATUTES VIOLATED**

*Title 18 U.S.C. § 641*

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

The word “value” means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

*Title 18 U.S.C. § 1349, Conspiracy to Commit Fraud*

Any person who attempts or conspires to commit any offense under this chapter shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy. The alleged fraud conspiracy utilized commercial interstate carriers, in violation of Title 18 U.S.C. §1341, as well as interstate wires, in violation of Title 18 U.S.C. §1343.

## **FACTS ESTABLISHING PROBABLE CAUSE**

### **Summary:**

JOSEPH MORA is a federal employee who works as a Program Analyst at the United States Property and Fiscal Office (USPFO) warehouse at 2200 West 35<sup>th</sup> Street, Camp Mabry, Austin, TX, since approximately 2013. JOSEPH MORA works in the Property Management Branch within the warehouse and is responsible for receiving and storing sensitive military grade items, to include scopes, infrared laser aiming devices, and thermal night vision goggles, in a secure vault. MORA, working with others including C.A.—an active duty Texas Army National Guardsman—utilized his official position and access to items to remove large quantities of sensitive military grade equipment without authorization from Camp Mabry in Austin, Texas, which is within the Western District of Texas. MORA, with others, unlawfully removed over \$1 million dollars' worth of U.S. Government property from Camp Mabry. A large portion of those items were then sold by MORA via eBay and other means.

### **Detailed Facts:**

In 2017 and 2018, MORA sent multiple text messages to another person about his (MORA's) theft of items from Camp Mabry. MORA also described in the messages that he (MORA) gained unauthorized access to a secured area to delete the internal warehouse video surveillance recordings that captured his illegal activity. MORA also detailed in the messages his ability to sell the stolen items.

On April 2, 2019, a USPFO warehouse supervisor notified me that a pallet containing 114 aiming lights (National Stock Number (NSN): 5855-01-398-4315) was not received by the intended transferred location and was not located within the warehouse storage. The aiming lights provides a rapid, accurate aim point for personnel engaged in nighttime operations by projecting a laser beam invisible to the eye, but readily seen with night vision goggles. Associated shipping

and tracking paperwork dated January 31, 2019, showed that C.A. processed the aiming lights for transfer to the Defense Logistics Agency-Disposition Services (DLA-DS). However, a review of the DLA-DS receiving database showed those items were never received on the customer's end. A review of the warehouse surveillance recordings from January 31, 2019, showed C.A. and JOSEPH MORA inside of the warehouse during after duty hours, from 1800 – 2100 hours. I have confirmed that they were not authorized to be in the warehouse during that time. On the surveillance video, C.A. shrink wrapped a pallet containing small hard cover pelican brief cases that matched the description of packaging used to house the missing aiming lights. C.A. utilized the warehouse forklift to transport the pallet of suspected aiming lights as well as 7 large Snap on Tool kits, and 3 boxes that she packed with numerous unidentified bags outside of the rear rollup warehouse door. During the course of her activity, JOSEPH MORA appeared on the warehouse floor to observe her briefly before he returned to a position known to be the front of the warehouse where windows and front entrance doors were located.

An ongoing review of the Global Combat Support System-Army database for equipment processed at USPFO shows that in 2019 125 Night Vision Goggles - AN/PVS7B (NSN:5855-01-228-0937) were also processed by C.A., but never received at their intended location. Additional equipment which was processed in early 2018, but never received at its intended location include: 69 Computer Systems; 8 Aircraft Toolkits; 99 Illuminator Infrared Aiming Lights– AN/PEQ-2A; and 135 Night Vision Goggles – AN/PVS7B.

In April 2019, in response to a subpoena, eBay produced records associated with JOSEPH MORA. The eBay registration information return for JOSEPH MORA listed a registration date of September 8, 2003, MORA's home address, and eBay user ID of "eBay Account 1." The eBay user ID registered to JOSEPH MORA was eBay Account 1 until he changed his user ID to "eBay Account 2" in April 2019. Records obtained from JOSEPH MORA's eBay seller user ID eBay

Account 1 depict over 600 sales transactions from January 15, 2015 to March 28, 2019 that totaled \$204,659.78. The description of items listed for sale ranged from velcro flag patches, hand held radios, satellite phones, tools, gas masks, binoculars, night vision goggles, night vision image intensifiers, infrared aiming lights, and scopes for rifles. The items listed match the description of items routinely processed through the USPFO warehouse. Additional records obtained from JOSEPH MORA's eBay seller user ID eBay Account 2 depict 32 sales transactions from March 31, 2019 to July 12, 2019 that totaled \$29,837. The items listed for sale included infrared aiming lights, scopes, image intensifiers, and night vision goggles.

In April 2019, a review of JOSEPH MORA's active listings revealed that he had three military grade items listed for sale on his eBay account to include a scope for use with an M4 rifle, an infrared aiming light, and night vision goggles with image intensifiers. On May 3, 2019, an HSI Undercover Agent (UCA) engaged in communications with the eBay Account 2 eBay user ID registered to JOSEPH MORA regarding the purchase of a pair of Generation 3 Night Vision Goggles. The UCA purchased the night vision goggles for the advertised amount of \$1400.00 under the account eBay item listing #254215441678. The package containing the night vision goggles was received through U.S. Postal Service by HSI personnel on May 10, 2019. The night vision goggle had sticker residue on it where the government identifier stickers would have been located. Included in the contents of the package containing the night vision goggle was an Army Technical Manual for user guidance for "AN-PVS 7B Night Vision Goggle." The NSN on the user manual matched the NSN of the night vision goggle paperwork processed by C.A. at the USPFO.

On July 23, 2019, a review of JOSEPH MORA's completed eBay listing history for the past 100 days revealed that he had completed 7 transactions under the eBay seller user ID eBay Account 2 from May 6, 2019 to July 11, 2019. Three of those transactions included photographs of the AN/PAQ 4C IR Infrared Aiming Laser and hard cover pelican brief case captured with NSN:

5855-01-398-4315. The NSN on the eBay advertisement matches the NSN for the missing pallet of aiming lights previously processed by C.A.. The eBay advertisement for the aiming lights states that the item will be shipped from Fort Worth for estimated delivery date purposes.

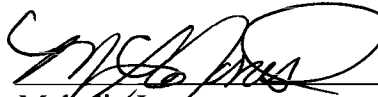
As of March 2019, C.A. was transferred by the Texas Army National Guard to Fort Worth, TX. In April 2019, in response to a subpoena, eBay produced records associated with C.A. The eBay registration information return for C.A. listed a registration date of March 28, 2017, a Fort Worth address, an email account in C.A.'s name, and eBay user ID of eBay Account 3. The phone number listed is a landline affiliated with an unrelated third party that MORA also listed in his eBay registration documents as his daytime phone number.

Records obtained from C.A.'s eBay seller user ID eBay Account 3 depict over 40 sales transactions from September 20, 2018 to March 24, 2019 that totaled \$37,115. The description of items listed for sale ranged from night vision goggles, night vision image intensifiers, infrared aiming lights, and scopes for rifles. The items listed match the description of items routinely processed through the USPFO warehouse.

On September 24, 2019, law enforcement agents from DCIS, Homeland Security Investigations, the U.S. Army CID, and the U.S. Postal Inspection Service executed multiple search warrants at locations associated with MORA and C.A. At MORA's residence, law enforcement found dozens of items that appeared to be stolen from Camp Mabry, to include pelican cases containing aiming lights, a pallet of night vision goggles, and tripods.


On September 24, 2019, MORA was interviewed by me and an agent with Homeland Security Investigations. MORA admitted that since 2016 he (MORA) intentionally stole garbage bags full of items without permission from Camp Mabry. MORA admitted that he sold the items he stole from Camp Mabry via eBay, which included sales outside of Texas, and that he sold additional items offline. MORA further admitted that he made approximately \$100,000 to \$150,000 in profit from the sales.

Respectfully submitted,



Melodie Jones  
Special Agent  
Defense Criminal Investigative Service

Subscribed and sworn to before me on September 25, 2019.



HONORABLE SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE  
WESTERN DISTRICT OF TEXAS